United Nations A/ES-10/422–S/2008/513

General Assembly
Security Council

Distr.: General
5 August 2008

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-third year

Identical letters dated 1 August 2008 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

In grave breach of and blatant contempt for international law and numerous United Nations resolutions, Israel, the occupying Power, continues its destructive colonization campaign in the Occupied Palestinian Territory, including East Jerusalem, in its attempts to forcibly acquire and de facto annex even more Palestinian land.

The occupying Power continues to unlawfully confiscate Palestinian land from its rightful owners and to destroy Palestinian homes and properties to facilitate its illegal construction and expansion of settlements, to which hundreds of thousands of Israeli settlers have been and continue to be illegally transferred, and its illegal construction of the wall inside the Occupied Palestinian Territory, including in and around Occupied East Jerusalem. In doing so, the occupying Power continues to destroy Palestinian communities, many of which are now completely isolated from each other and some of which have been transformed into walled cantons; continues to destroy the contiguity of the Territory; and continues to destroy Palestinian lives as it inflicts displacement, economic and social devastation and even death on the Palestinian civilian population in its reckless, violent pursuit of this illegitimate, expansionist agenda.

The human face and toll of this illegal Israeli colonization campaign continues to be illustrated in the daily struggles of the Palestinian people as they confront the innumerable hardships directly caused by it and in their daily efforts to oppose the continuing confiscation of their land and other violations of their human rights by the occupying Power. For example, in villages all over the West Bank, including in places such as Bil'in, Khader and Ni'ilin, Palestinian civilians have waged daily demonstrations and marches against the confiscation of their land for the construction of the wall, often at great risk to their own lives as the occupying forces routinely fire tear gas, rubber-coated steel bullets and even live ammunition

08-45216 (E) 070808

at protesters, causing injury and death to civilians, including children, and impose strict curfews on the civilian population to facilitate the unimpeded confiscation of their land.

In recent weeks, confrontations between the occupying army and Palestinian civilian protesters have been particularly intense in the village of Ni'ilin, where frequent demonstrations have been held against the wall, which threatens to swallow up a hundred more acres of the village's land, and many civilians have been critically injured. Tragically, during one of the villagers' desperate attempts on 29 July 20 stop the wall's construction, Israeli occupying forces killed a 10-year-old Palestinian boy, Ahmed Moussa, shooting him with a live bullet in the head as he, along with several other youths, threw stones and tried to scale a fence to stop the bulldozers brought in to clear large areas of the land. At Ahmed's funeral, the occupying forces once again fired at the crowds, striking 17-year-old Yousef Amira, who was pronounced clinically dead yesterday. Both of these tragic incidents were preceded by the shocking deliberate shooting of a bound and blindfolded Ni'ilin protester by an Israeli soldier on 7 July.

Israel is committing all such actions in grave breach of international law, particularly the Fourth Geneva Convention, by which Israel is bound as an occupying Power, and in total disrespect of the United Nations resolutions and the advisory opinion of the International Court of Justice of 9 July 2004. In this regard, it should be recalled that July 2008 marked the fourth anniversary of that advisory opinion, by which the Court affirmed the illegality of the wall, which is being constructed deep in the Palestinian Territory in deviation from the 1967 Green Line, and of its associated regime and called upon Israel to cease construction of the wall, to dismantle it and to make reparations for all damage caused by it. Moreover, affirming the wall's direct connection to Israel's unlawful settlement campaign, the Court concluded that "the route chosen for the wall gives expression in loco to the illegal measures taken by Israel with regard to Jerusalem and the settlements, as deplored by the Security Council" (para. 122).

Yet Israel continues its illegal construction of the settlements and the wall. The occupying Power has already completed 60 per cent of the planned route of the wall, which is projected to be more than twice the length of the 1967 Green Line, in addition to the 150 settlements and more than 100 settlement "outposts" illegally established in the Occupied Palestinian Territory, which together occupy huge swathes of land totalling approximately 50 per cent of the West Bank. This has resulted in the altering of the demographic composition and character of the Territory, which is being severely fragmented, and the undermining of its contiguity, integrity, unity and viability. As such, Israel's colonization campaign clearly constitutes the primary threat to the realization by the Palestinian people of their inalienable human rights and to the achievement of the two-State solution for peace, an independent State of Palestine living side by side with Israel in peace and security on the basis of the 1967 borders, in accordance with relevant Security Council resolutions, including resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003).

It is thus imperative that the international community, including the Security Council, act to bring an end to all of Israel's breaches of international law, including its destructive, deadly colonization campaign, in the Occupied Palestinian Territory. The Palestinian people, whose daily lives continue to be marred by the occupying

Power's oppression and illegal, inhumane practices, appeal again to the international community to uphold the law and exert serious efforts to compel Israel to respect its legal obligations and to immediately halt all violations of international law. Such responsible action by the international community is necessary not only for stemming the deterioration of the situation on the ground but also for salvaging the prospects for peace.

The present letter is in follow-up to our previous 317 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 25 June 2008 (A/ES-10/421-S/2008/421), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Feda **Abdelhady-Nasser**
Chargé d'affaires, a.i.